

02-08-02

A

Practitioner's Docket No. 16139/09017

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:

PATENT  
10/068584  
02/05/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
U. S. Patent and Trademark Office  
Commissioner for Patents  
Post Office Box 2327  
Arlington, VA 22202

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Laszlo Marton; Mihaly Czako

**CERTIFICATION UNDER 37 C.F.R. § § 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being.

## MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington D C 20231  
37 CFR 1.8a
- ☐ with sufficient postage as first class mail
- ☒ as "Express Mail Post Office to Addressee" Mailing Label  
37 CFR 1.10  
No. ET938670115US

## TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, 703 \_\_\_\_\_

*Deborah Anne Weiner*  
Signature

Date: February 5, 2002

Deborah Anne Weiner

Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): Sustained Totipotent Culture of Selected Monocot Genera

**1. Type of Application**

This transmittal is for an original (nonprovisional) application.

**2. Papers Enclosed**

Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

23 Page(s) of Specification (including title page)

4 Page(s) of Claims

1 Page(s) of Abstract

4 Sheet(s) of Drawing(s)--Informal

**3. Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on  
behalf of all of the above-named inventors.

**4. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**5. Language**

English

**6. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

| CLAIMS AS FILED  |              |                     |              |          |                                      |
|--|--------------|---------------------|--------------|----------|--------------------------------------|
| Claims   | Number Filed | Basic Fee Allowance | Number Extra | Rate     | Basic Fee 37 CFR 1.16(a)<br>\$370.00 |
| <hr/>  |              |                     |              |          |                                      |
| Total Claims<br>(37 CFR 1.16(c))                           | 31           | - 20 =              | 11 x         | \$9.00   | 99.00                                |
| <hr/>  |              |                     |              |          |                                      |
| Independent Claims<br>(37 CFR 1.16(b))                     | 4            | - 3 =               | 1 x          | \$42.00  | 42.00                                |
| <hr/>  |              |                     |              |          |                                      |
| Multiple Dependent<br>Claim(s), if any<br>(37 CFR 1.16(d)) |              |                     | +            | \$280.00 | \$0.00                               |
| <hr/>  |              |                     |              |          |                                      |

Filing Fee Calculation

\$141.00

**7. Fee Payment Being Made at This Time**

Enclosed

Filing Fee

\$370.00

Total Fees Enclosed

\$511.00

**8. Method of Payment of Fees**

Check in the amount of \$511.00 is attached.

**9. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-1196.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

**10. Instructions as to Overpayment**

Credit Account No. 50-1196.

**11. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. Section 119(e)

"This application claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

FILING DATE

60/266,067

02/05/2001

Date: February 5, 2002

Reg. No.: 35,561

Tel. No.: 864-250-2260



Signature of Practitioner

Neil C. Jones

Nelson Mullins Riley & Scarborough LLP

Keenan Building, Third Floor

1330 Lady Street

Columbia, SC 29201

02/05/02

C951 U.S. PTO

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ ) 511.00**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | Not Known            |
| Filing Date          | 02/05/2002           |
| First Named Inventor | Laszlo Marton et al. |
| Examiner Name        | Not Known            |
| Group Art Unit       |                      |
| Attorney Docket No.  | 16139/09017          |

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1196**  
Deposit Account Name **Nelson Mullins Riley & Scarborough**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740                    | 201 370                    | Utility filing fee     | 370.00   |
| 106 330                    | 206 165                    | Design filing fee      |          |
| 107 510                    | 207 255                    | Plant filing fee       |          |
| 108 740                    | 208 370                    | Reissue filing fee     |          |
| 114 160                    | 214 80                     | Provisional filing fee |          |

**SUBTOTAL (1)** (\$ ) 370.00**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 31                 | -20** = 11   | 9.00           | 99.00    |
| 4                  | -3** = 1     | 42.00          | 42.00    |
| Multiple Dependent |              |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |
| 109 84                     | 209 42                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$ ) 141.00

\*\*or number previously paid, if greater; For Reissues, see above

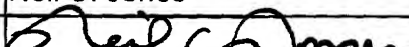
**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  |          |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 400                    | 216 200                    | Extension for reply within second month                                    |          |
| 117 920                    | 217 460                    | Extension for reply within third month                                     |          |
| 118 1,440                  | 218 720                    | Extension for reply within fourth month                                    |          |
| 128 1,960                  | 228 980                    | Extension for reply within fifth month                                     |          |
| 119 320                    | 219 160                    | Notice of Appeal   |          |
| 120 320                    | 220 160                    | Filing a brief in support of an appeal                                     |          |
| 121 280                    | 221 140                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,280                  | 241 640                    | Petition to revive - unintentional   |          |
| 142 1,280                  | 242 640                    | Utility issue fee (or reissue)   |          |
| 143 460                    | 243 230                    | Design issue fee   |          |
| 144 620                    | 244 310                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 740                    | 246 370                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 740                    | 249 370                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 740                    | 279 370                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 0.00**SUBMITTED BY**

|                   |   |                                   |            |           |               |
|-------------------|---|-----------------------------------|------------|-----------|---------------|
| Name (Print/Type) | Neil C. Jones   | Registration No. (Attorney/Agent) | 35,561     | Telephone | (864)250-2260 |
| Signature         |  | Date                              | 02/05/2002 |           |               |

Complete (if applicable)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marton, Laszlo; Czako, Mihaly

Application No.: \_\_\_\_\_

Group No.: \_\_\_\_\_

Filed: \_\_\_\_\_

Examiner: \_\_\_\_\_

For: Sustained Totipotent Culture of Selected Monocot Genera

**Box Patent Application**

**U.S. Patent and Trademark Office**

**Commissioner for Patents**

**Post Office Box 2327**

**Arlington, VA 22202**

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number ET938670115US

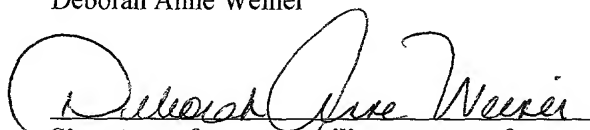
Date of Deposit 02/05/2002

I hereby state that the following *attached* paper or fee

1. New Application Transmittal Form (5 pages);
2. Fee Transmittal Form (1 page);
3. Patent Application (Title page through Abstract; Figures 1-4) (32 pages);
4. Check in the amount of \$511.00; and
5. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Box Patent Application, U.S. Patent and Trademark Office, Commissioner for Patents, Post Office Box 2327; Arlington, VA 22202.

Deborah Anne Weiner

  
Signature of person mailing paper or fee